

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Newport News Division

WADE Z. WEBB,
Plaintiff,

v.

MATHEWS COUNTY
SCHOOL BOARD, *et al.*,
Defendants.

Civil Action No. 4:20cv180 (RCY)

DISMISSAL ORDER

On November 30, 2020, Plaintiff, appearing *pro se*, filed a Complaint against Defendants and paid the requisite filing fees. Compl., ECF No. 1. Pursuant to Rule 4(m) of the Federal Rules of Civil Procedure, “[i]f a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time.” Fed. R. Civ. P. 4(m). Plaintiff’s deadline to serve Defendants expired on March 1, 2021, and Plaintiff did not establish that timely service was made.


On March 3, 2021, the Court issued an Order to Show Cause that (i) notified Plaintiff that his deadline to serve Defendants under Federal Rule 4(m) had expired; and (ii) ordered Plaintiff to show cause, within twenty-one days, why this action should not be dismissed pursuant to Federal Rule 4(m). Order Show Cause at 1, ECF No. 6. Plaintiff’s deadline to respond to the Court’s March 3, 2021 Order to Show Cause has expired and Plaintiff chose not to respond. Accordingly, this action is hereby DISMISSED without prejudice pursuant to Rule 4(m) of the Federal Rules of Civil Procedure.

Plaintiff may appeal this Dismissal Order by forwarding a written notice of appeal to the Clerk of the United States District Court, Newport News Division, 2400 West Avenue, Newport News, Virginia 23607. The written notice must be received by the Clerk within thirty days from the date of entry of this Dismissal Order. If Plaintiff wishes to proceed *in forma pauperis* on appeal, the application to proceed *in forma pauperis* shall be submitted to the Clerk of the United States District Court, Newport News Division, 2400 West Avenue, Newport News, Virginia 23607.

The Clerk is DIRECTED to send a copy of this Dismissal Order to Plaintiff.

It is so ORDERED.

Richmond, Virginia
April 1, 2021

/s/ 

Roderick C. Young
United States District Judge